

Applicant : Howard A. Kingsford et al  
Serial No. : 10/539,686  
Filed : November 2, 2005  
Page : 22 of 29

Attorney's Docket No.: 05918-0347US1 /  
VGCP No. 4681

Amendments to the Drawings:

The attached replacement sheets of drawings includes changes to FIGS. 2, 4-15, 17-20, 24-27, 30-38, 42, 45-47, 52A, and 52B, and replace the original sheets including FIGS. 1-2, 4-49, and 52, 52A, and 52B.

In FIG. 2, reference numbers 1000 and 1007 have been added, and the line between reference number 1006 and the figure has been extended.

In FIG. 4, reference number 1007 has been added and the line between reference number 1014 and the figure has been relocated.

In FIG. 5, reference numbers 1007 and 1008 have been added.

In FIG. 6, reference numbers 1007 and 1008 have been added, and reference number 1032 has been deleted.

In FIG. 7, reference numbers 1006, 1008, 1010, and 1014 have been added. Reference number 1007 has been relocated, and reference letter  $W_1$  has been changed to  $W_0$ .

In FIG. 8, reference number 1007 has been added.

In FIG. 9, reference numbers 1007 and 1100 have been added.

In FIG. 10, reference numbers 1006, 1008, 1010, and 1014 have been added. Reference number 1007 has been relocated, reference number 1104 has been changed to 1014, and reference letter  $W_1$  has been changed to  $W_0$ .

In FIG. 11, reference number 100 has been added.

In FIG. 12, reference number 102 has been added.

In FIG. 13, reference number 102 has been added.

In FIG. 14, reference letter A has been deleted.

In FIG. 15, reference number 20' has been changed to 21'.

In FIG. 17, reference number 18 and reference letter A have been deleted.

In FIG. 18, reference numbers 16 and 17 have been added.

In FIG. 19, reference numbers 22'' has been added, reference number 66 has been relocated, and reference numbers 50, 56, 58, and 60 have been deleted.

In FIG. 20, reference number 116 has been changed to 16.

In FIG. 24, reference number 116 has been deleted.

In FIG. 25, reference number 112' has been relocated.

In FIG. 26, reference number 113 has been added, reference number 115 has been relocated, and a solid line has been added to indicate the welding at reference number 115.

In FIG. 27, reference number 120 has been changed to 123.

In FIG. 30, reference number 303 has been deleted, an arrow has been added to indicate what reference number 362 is referring to, and reference letters W<sub>1</sub> have been changed to W<sub>1</sub>'.

In FIG. 31, reference numbers 300, 360, 362, and 366 have been added. Reference number 376 has been deleted. Reference letter W<sub>3</sub> has been changed to L<sub>1</sub>, and a line has been drawn to indicate what reference number 364 refers to.

In FIG. 32, reference numbers 300 and 362 have been added. Reference number 365 has been changed to 360, and reference number 376 has been changed to 119'''.

In FIG. 33, reference number 382 has been relocated, reference number 119 has been changed to 119''', and reference letter W<sub>3</sub> has been changed to L<sub>1</sub>.

In FIG. 34, reference number 119''' has been added, and reference letter W<sub>3</sub> has been changed to L<sub>1</sub>.

In FIG. 35, an arrow has been added to indicate what reference number 601 is referring to.

In FIG. 36, reference number 620 has been deleted, and the length of L<sub>3</sub> has been extended.

In FIG. 37, reference number 603 has been changed to 601.

In FIG. 38, reference number 604 has been added, and reference numbers 646' and 647' have been deleted.

In FIG. 42, reference number 716 has been deleted.

Applicant : Howard A. Kingsford et al  
Serial No. : 10/539,686  
Filed : November 2, 2005  
Page : 25 of 29

Attorney's Docket No.: 05918-0347US1 /  
VGCP No. 4681

In FIG. 45, reference letter L<sub>3</sub> has been relocated, and reference letters L<sub>1</sub>, L<sub>2</sub>, and L<sub>4</sub> have been deleted.

In FIG. 46, reference number 722 has been added, reference number 742 has been relocated, and reference letter L<sub>5</sub> has been changed to L<sub>1</sub>.

In FIG. 47, one reference number 815 has been deleted, and one reference number 815 has been relocated.

FIG. 52 has been deleted.

In FIG. 52A, reference numbers 1006 and 1200 have been added.

In FIG. 52B, reference numbers 1006, 1008, and 1200 have been added, and one reference number 1244 has been deleted.

Attachments following last page of this Amendment:

Replacement Sheets (21 pages)  
Annotated Sheets Showing Changes (21 pages)

Applicant : Howard A. Kingsford et al  
Serial No. : 10/539,686  
Filed : November 2, 2005  
Page : 26 of 29

Attorney's Docket No.: 05918-0347US1 /  
VGCP No. 4681

### REMARKS

Claims 1-10 and 13-20 are pending in the application. Claims 11 and 12 have been cancelled, and claims 1 and 18 are amended. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of these amendments and remarks.

### Examiner Interview Summary

A telephonic interview initiated by Applicants was conducted on February 3, 2009. Applicants' counsel, James Babineau and Heather Flanagan, and Examiner Matthew Benvenuti and Supervisory Patent Examiner Nathan Newhouse participated in the Examiner interview. Applicants and their counsel express sincere appreciation to Examiners Benvenuti and Newhouse for their time.

Proposed claim amendments and proposed new claims provided to the Examiners by facsimile on February 2, 2009 were discussed during the interview. Particular attention was directed toward amending claim 1 to include the features of claim 11. The basis for the rejection of claim 11 was discussed as well. Examiner Newhouse indicated that the basis of the rejection of claim 11 might be reconsidered upon request by the Applicants, but no agreement as to allowable subject matter was reached.

### Drawings and Specification

The drawings and specification have been amended in accordance with the objections on pages 2-7 of the Office Action. Applicants respectfully request removal of these objections.

### Claim Rejections – 35 USC § 103

Claims 1-17 were rejected under 35 U.S.C. 103(a) as being obvious over U.S. Pat. No. 5,150,707 to Anderson ("Anderson") in view of U.S. Pat. No. 5,843,018 to Shesol et al. ("Shesol") and U.S. Pat. No. 6,205,623 to Shepard et al. ("Shepard").

Claim 19 was rejected under 35 U.S.C. 103(a) as being obvious over Anderson, Shesol, and Shepard and further in view of U.S. Pat. No. 4,706,914 to Ground.

Claim 20 was rejected under 35 U.S.C. 103(a) as being obvious over Anderson, Shesol, and Shepard and further in view of U.S. Pat. No. 3,712,220 to Marke et al.

Claims 1 and 18 were amended to include features of claim 11. Regarding claim 11, the Office Action states:

It would have been obvious to one having ordinary skill in the art at the time the invention was made to put the pouch opening facing the strap, since it has been held that rearranging parts of an invention involves only routine skill in the art. In re Japikse, 86 USPQ 70.

Office Action, at 11.

Applicants disagree with this rejection. The function of the side opening is described in the Application at least in reference to Figures 34-37 and 41-44. Regarding Figure 34, the Application states:

Thus, the pouch 119''' is open from the side, side opening 379, and closed from the top. This allows objects to be placed in the pouch from the side. When the wrap-bag is wrapped around an object with loop surface 300 on the inside, the bag strap covers the side opening 379 to prevent the pouch contents from slipping out.

Application, p. 18, ll. 12-15. Regarding Figures 41-44, the Application states:

The opening 722 is oriented such that whenever the bag-wrap is securely wrapped about an object, the contents cannot fall out because the opening 722 is against the wrapped object.

Application, p. 20, ll. 21-23.

With the opening configured as now recited in claim 1, the strap extends across the opening in use, thereby at least partially covering the opening and helping to prevent loss of contents. Thus, the application describes the particular function of the recited arrangement of the side opening, and the office action does not contain a sufficient basis for the obviousness

rejection of claim 11. M.P.E.P. 2144.04. As such, a *prima facie case* of obviousness has not been established. Furthermore, the referenced publications do not provide any disclosure that would have pointed the person of mere ordinary skill toward the invention as now claimed. Applicants therefore respectfully request reconsideration and withdrawal of the 35 U.S.C. §103(a) rejections of claims 1-20.

Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reason for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to amendment. Applicants respectfully request consideration of all filed IDS' not previously considered, by initialing and returning each Form 1449.

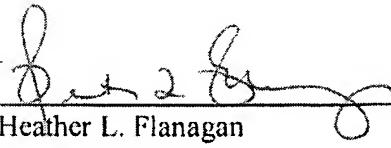
The fee for a two-month extension of time is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply all charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No 05918-347US1.

Applicant : Howard A. Kingsford et al  
Serial No. : 10/539,686  
Filed : November 2, 2005  
Page : 29 of 29

Attorney's Docket No.: 05918-0347US1 /  
VGCP No. 4681

Respectfully submitted,

Date: February 10, 2009

  
\_\_\_\_\_  
Heather L. Flanagan  
Reg. No. 54,101

Fish & Richardson P.C.  
One Congress Plaza  
Suite 810  
111 Congress Avenue  
Austin, TX 78701  
Telephone: (512) 472-5070  
Facsimile: (877) 769-7945

11066508.doc